

1 EDMUND G. BROWN JR.
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 MICHELLE MCCARRON
Deputy Attorney General
4 State Bar No. 237031
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2544
6 Facsimile: (213) 897-2804
Attorneys for Complainant

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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. **2011-104**

11 **MARIYA VADIMOVNA LIM AKA**
12 **MARYA LIM**
13 **20615 Mayall**
Chatsworth, CA 91311
14 **Registered Nurse License No. 667889**

A C C U S A T I O N

15 Respondent.

16 Complainant alleges:

17 **PARTIES**

18 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
19 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
20 of Consumer Affairs.

21 2. On or about October 20, 2005, the Board of Registered Nursing issued Registered
22 Nurse License Number 667889 to Mariya Vadimovna Lim aka Marya Lim (Respondent). The
23 Registered Nurse License was in full force and effect at all times relevant to the charges brought
24 herein and will expire on January 31, 2011, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board of Registered Nursing (Board),
27 Department of Consumer Affairs, under the authority of the following laws. All section
28 references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Code provides in part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides in part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

STATUTORY PROVISIONS

6. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

• • • •

"(d) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violating of, or conspiring to violate any provision or term of this chapter or regulations adopted pursuant to it.

7. Section 2762 of the Code states:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter, it is unprofessional conduct for a person licensed under this chapter to do any of the following:

"(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

"(b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to

1 himself or herself, any other person, or the public or to the extent that such use impairs his or her
2 ability to conduct with safety to the public the practice authorized by his or her license.

3

4 "(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any
5 hospital, patient, or other record pertaining to the substances described in subdivision (a) of this
6 section."

7 Dangerous Drugs / Controlled Substances

8 8. Dilaudid is the trade name for Hydromorphone, is a Schedule II controlled substance
9 pursuant to Health and Safety Code section 11055 subdivision (b)(1)(K), and a dangerous drug
10 pursuant to Code section 4022.

11 9. Morphine Sulphate, which is a principal alkaloid of opium, also called MS Contin, is
12 a Schedule II controlled substance pursuant to Health and Safety Code section 11055,
13 subdivisions (b)(1)(M) and (b)(2), and a dangerous drug pursuant to Code section 4022.

14 10. Vicodin is the trade name for Hydrocodone, is a Schedule II controlled substance
15 pursuant to Health and Safety Code section 11055 subdivision (b)(1)(J), and a dangerous drug
16 pursuant to Code section 4022.

17 11. Tramadol is an analgesic pain reliever. It is categorized as a dangerous drug pursuant
18 to section 4022.

19 12. Heroin, a semi-synthetic drug derived from morphine, is a Schedule I controlled
20 substance pursuant to Health and Safety Code section 11054, subdivision (c)(11), and a
21 dangerous drug pursuant to section 4022.

22 COST RECOVERY

23 13. Section 125.3 of the Code provides in part, that the Board may request the
24 administrative law judge to direct a licentiate found to have committed a violation or violations of
25 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
26 enforcement of the case.

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1 FIRST CAUSE FOR DISCIPLINE

2 (Obtain/Possession of Controlled Substances)

3 14. Respondent is subject to disciplinary action under sections 2761 subdivision (a) and
4 2762 subdivision (a), on the grounds of unprofessional conduct, in that Respondent unlawfully
5 obtained, from a Pyxis automated medication dispenser, and possessed controlled substances and
6 dangerous drugs as follows:

7 a. On or about November 24, 25 and 29, 2006, while employed as a nurse at the
8 Los Angeles County / University of Southern California Medical Center (the LAC/USC Medical
9 Center), in Los Angeles, California, Respondent removed at least eleven (11), two milligram vials
10 of hydromorphone, without documentation, in the name of Patient B¹, for who she was not the
11 assigned nurse and for whom she was not providing nursing care.

12 b. On or about November 25, 2006, while employed as a nurse at the LAC/USC
13 Medical Center, Respondent removed at least one (1), two milligram vials of hydromorphone, in
14 the name of Patient B, for who she was not the assigned nurse and for whom she was not
15 providing care.

16 c. On or about November 28, 2006, while employed as a nurse at the LAC/USC
17 Medical Center, Respondent removed at least three (3), two milligram vials of hydromorphone, in
18 the name of Patient B, for whom she was the assigned nurse, but failed to document the removal
19 of the drug in any hospital records.

20 d. On or about November 17 through November 20, 2006, while employed as a
21 nurse at the LAC/USC Medical Center, Respondent removed at least nineteen (19), two milligram
22 vials of hydromorphone, in the name of Patient C, without a doctor's order and without
23 documenting the removal of the drug in any hospital record.

24 e. On or about November 17 through November 19, 2006, while employed as a
25 nurse at the LAC/USC Medical Center, Respondent removed at least eight (8), eight milligrams
26 of morphine sulphate, in the name of Patient D, for whom there was an order for two milligrams

27 _____
28 ¹ Patient names are omitted for privacy purposes.

1 of morphine sulfate every two hours, and did so without documenting the removal of the drug in
2 any hospital record.

3 f. On or about November 17, through November 19, 2006, while employed as a
4 nurse at the LAC/USC Medical Center, Respondent removed at least fourteen (14) tablets of
5 Vicodin, in the name of Patient D, for who there was an order for Vicodin, but did so without
6 documenting the removal of the drug in any hospital record.

7 g. Respondent admits to obtaining and possessing the above mentioned drugs.

8 SECOND CAUSE FOR DISCIPLINE

9 (Use of Controlled Substances)

10 15. Respondent is subject to disciplinary action under section 2762 subdivision (b), on
11 the grounds of unprofessional conduct, in that Respondent used controlled substances and
12 dangerous drugs, in a manner dangerous or injurious to herself, others and her ability to practice
13 as a nurse. Respondent admitted to self-use of the controlled substances she diverted from Pyxis
14 and to practicing nursing at the LAC/USC Medical Center while impaired. Complainant's
15 allegations as set forth in paragraph 14, subparagraphs (a) through (g), are incorporated by
16 reference as though fully set forth.

17 16. Respondent was enrolled in the Maximus Diversion Program and admitted in the
18 program intake paperwork that she had been taking Vicodin, Morphine and Dilaudid
19 (Hydromorphone) without a prescription. Furthermore, Respondent admitted to obtaining
20 Tramadol from the Internet, which she would take daily for back pain. While in the Diversion
21 program, Respondent tested positive for Tramadol on or about November 26, 2007. She further
22 admitted to using Heroin in February 2008. Respondent was terminated from the diversion
23 program for failing to comply with the rehabilitation plan and being a public risk.

24 THIRD CAUSE FOR DISCIPLINE

25 (False or Incorrect Medical Records)

26 17. Respondent is subject to disciplinary action under section 2761 subdivision (a), and
27 2762 subdivision (e), on the grounds of unprofessional conduct, in that Respondent made grossly
28 incorrect entries in the medical records of at least three patients, by removing the controlled

1 substances and dangerous drugs: Hydromorphone, Diluadid, Morphine Sulphate, and Vicodin;
2 under the patients' names from Pyxis. Complainant's allegations as set forth in paragraph 14,
3 subparagraphs (a) through (g), are incorporated by reference as though fully set forth.

4 **FOURTH CAUSE FOR DISCIPLINE**

5 **(Violations of the Nursing Practice Act)**

6 18. Respondent is subject to disciplinary action under section 2761 subdivision (d), in
7 that Respondent, violated or attempting to violate, directly or indirectly, the provisions or terms of
8 the Nursing Practice Act. Complainant's allegations as set forth in paragraphs 14, subparagraphs
9 (a) through (g), and 15 through 17, are incorporated by reference as though fully set forth.

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11 **PRAYER**

12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
13 and that following the hearing, the Board of Registered Nursing issue a decision:

14 1. Revoking or suspending Registered Nurse License Number 667889, issued to Mariya
15 Vadimovna Lim aka Marya Lim;

16 2. Ordering Mariya Vadimovna Lim aka Marya Lim to pay the Board of Registered
17 Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Code
18 section 125.3; and

19 3. Taking such other and further action as deemed necessary and proper.
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21

22 DATED: 8/9/10

23 *for* LOUISE R. BAILEY, M.ED., RN
24 Interim Executive Officer
25 Board of Registered Nursing
26 Department of Consumer Affairs
27 State of California
28 *Complainant*

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